

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

MATTHEW CONNOLLY and
GAVIN CAMPBELL BLACK,

Defendants.

No. 1:16-cr-00370 (CM)

ECF Case

ORAL ARGUMENT REQUESTED

**DECLARATION OF SETH L. LEVINE IN SUPPORT OF
GAVIN CAMPBELL BLACK'S SENTENCING MEMORANDUM**

Seth L. Levine declares as follows pursuant to 28 U.S.C. § 1746:

1. I am an attorney at law, licensed to practice in the State of New York and a partner at Levine Lee LLP, attorneys for Defendant Gavin Campbell Black. I submit this Declaration in Support of Mr. Black's Sentencing Memorandum.

2. Annexed hereto as **Exhibit A** is a true and correct copy of "Home Detention Monitoring Proposal" drafted by the Subrosa Group and dated October 7, 2019.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

6. Annexed hereto as **Exhibit E** is a true and correct copy of an excerpt of the September 12, 2006 Program Statement of the Federal Bureau of Prisons, Number P5100.08.

7. Annexed hereto as **Exhibit F** is a true and correct copy of the December 16, 1998 Program Statement of the Federal Bureau of Prisons, Number 7310.04.

8. Annexed hereto as **Exhibit G** is a true and correct copy of an excerpt of “Review of the Federal Bureau of Prisons’ Monitoring of Contract Prisons,” conducted by the Office of the Inspector General of the United States Department of Justice and dated August 2016.

9. Annexed hereto as **Exhibit H** is a true and correct copy of a Memorandum for Chief Executive Officers, written by Frank Lara, Assistant Director of the Correction Programs Division of the Federal Bureau of Prisons, on January 24, 2018.

10. Annexed hereto as **Exhibit I** is a true and correct copy of a Memorandum for the Acting Director of the Federal Bureau of Prisons, written by Sally Q. Yates, United States Deputy Attorney General, on August 18, 2016.

11. Annexed hereto as **Exhibit J** is a true and correct copy of a Memorandum for the Acting Director of the Federal Bureau of Prisons, written by Jefferson B. Sessions III, United States Attorney General, on February 21, 2017.

12. Annexed hereto as **Exhibit K** is a true and correct copy of an excerpt of the Fiscal Year 2019 Budget Overview for United States Immigration and Customs Enforcement, an agency of the United States Department of Homeland Security.

13. Annexed hereto as **Exhibit L** is a true and correct copy of “Concerns about ICE Detainee Treatment and Care at Four Detention Facilities” written by the Office of the Inspector General of the United States Department of Homeland Security and dated June 3, 2019.

14. Annexed hereto as **Exhibit M** is a true and correct copy of “Five Things About Deterrence,” a pamphlet published in May 2016 by the National Institute of Justice, an agency of the United States Department of Justice.

15. Annexed hereto as **Exhibit N** is a true and correct copy of “Lawsy Tells Deutsche Bank to Fire Seven Libor Traders,” a Bloomberg article written by Greg Farrell, Ambereen Choudhury, and Julia Verlaine, published on April 23, 2015.

16. Annexed hereto as **Exhibit O** is a true and correct copy of “A Report on Behalf of The American Bar Association Criminal Justice Section Task Force on The Reform of Federal Sentencing for Economic Crimes,” published on November 10, 2014.

17. Annexed hereto as **Exhibit P** is a true and correct copy of a May 29, 2018 letter from the Government to the Defendants.

18. Annexed hereto as **Exhibit Q** is a true and correct copy of “The Convention on the Transfer of Sentenced Persons.”

19. I declare under penalty of perjury that the foregoing is true and correct.

Executed in New York, New York
on this 10th day of October, 2019



Seth L. Levine